



1301 Avenue of the Americas, 40th Floor
New York, NY 10019-6022

PHONE 212.999.5800

FAX 212.999.5899

www.wsgr.com

October 28, 2018

VIA CM/ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Mark Nordlicht, et al., No. 1:16-cr-00640-BMC

Dear Judge Cogan:

We represent defendant David Levy in the above-referenced matter. On behalf of defendants Nordlicht, Levy, SanFilippo, Mann and Small, we write to supplement the government's October 24, 2018 letter (ECF No. 417) setting forth the proposed agenda for the status conference scheduled for October 29, 2018 at 11 a.m. Having begun the process of reviewing the materials produced to us by the government on October 24, 2018, the defendants respectfully request the opportunity to be heard regarding the following issues:¹

- 1) The Government's *Brady* disclosures;
- 2) The August 29, 2017 Protective Order and Deferred Rule 16 Production (ECF Nos. 207, 400);
- 3) The Government's Exhibit Lists (ECF No. 413);
- 4) The Government's Witness List (ECF No. 409);
- 5) Bill of Particulars;
- 6) Defendant Levy's Letter of October 19, 2018 concerning the recording device used by one of the cooperating witnesses (ECF No. 410); and
- 7) Defendant Mann's Letter of October 25, 2018 concerning the unsealing of certain documents (ECF No. 415).

¹ Several of the agenda items included here were covered by the government's October 24, 2018 letter but we relist them individually for the Court's convenience.



The Honorable Brian M. Cogan
October 28, 2018
Page 2 of 2

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

s/ Morris J. Fodeman

Michael S. Sommer
Morris J. Fodeman

Cc: All Counsel of Record (via CM/ECF)